

BOARD OF COMMISSIONERS

MINUTES OF THE BOARD SESSION – Regular Session

Wednesday, September 30, 2009
Marion County Courthouse Square

9:00 a.m. Board Session
Senator Hearing Room

PRESENT: Commissioner Patti Milne, Commissioner Janet Carlson and Commissioner Sam Brentano. Also present were John Lattimer as chief administrative officer, Jo Stonecipher as legal counsel and Kim Hulett as recorder.

PUBLIC COMMENT

None.

MOTION: Commissioner Carlson moved to add an item to the consent calendar. Add under Board of Commissioners to approve an intergovernmental agreement and grant agreement between Marion County, the City of Silverton and the Oregon Garden Foundation. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

CONSENT

BOARD OF COMMISSIONERS

Approve an intergovernmental agreement and grant agreement between Marion County, the City of Silverton and the Oregon Garden Foundation. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

BUSINESS SERVICES – HUMAN RESOURCES

Approve an order appointing Jeff Holland to the Health Insurance Study Committee replacing Jason Myers.

Approve the Health Insurance Study Committee’s recommendation for the non-MCLEA 2010 health plans.

HEALTH

Approve renewal of a two-year contract for \$141,120 with Northwest Human Services to provide representative payee services.

Approve amendment #3 to add \$2,022,456 to the contract with Easter Seals of Oregon, Children’s Therapy Center to provide Integrated Delivery System services and prevention, education and outreach services.

Approve amendment #5 to add \$803,910 to the intergovernmental agreement with the Department of Human Services for the 2009-11 financing of community health, developmental disability and addiction services.

PUBLIC WORKS – PLANNING

Receive hearings officer's recommendation approving comprehensive plan amendment/floodplain/greenway permit, Windsor Rock Products, Inc., case #CP/FP/GW 09-3, and schedule a public hearing for October 21, 2009.

SHERIFF

Approve renewal of an agreement to receive \$136,300 from the Salem-Keizer School District 24J for providing resource officer services during the 2009-10 school year.

Approve amendment #2 to add \$100,000 to the contract with iSECUREtrac to provide electronic monitoring for parole and probation division clients and extend the term until June 30, 2010.

MOTION: Commissioner Carlson moved approval of the consent calendar. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

ACTION

CHILDREN AND FAMILIES

1. Consider approval to receive grant funds of \$496,919 from the U.S. Department of Justice to support the Fostering Attachment Treatment Court and grant the director of Children and Families the authority to sign the grant award on behalf of the county. – Alison Kelley

Alison Kelley, Children and Families Department, stated the participants in the Fostering Attachment Treatment Court are parents who are involved in drug and alcohol addiction treatment and, in some cases, mental health treatment, and are working toward reunifying their families when their children have been taken for safety's sake and placed in foster care. Ms. Kelley said it is a very collaborative, unique arrangement that provides judicial supervision that really helps provide the motivation for people involved in treatment to succeed in their treatment so that they can become reunified with their children. It teaches them skills in terms of parenting and bonding and helping to form those attachments. Ms. Kelley stated that promotes healing and reduces the trauma that both parents and families go through when they are separated due to addiction.

Ms. Kelley said this was a request to receive grant funds from the U.S. Department of Justice to support the Fostering Attachment Treatment Court and grant the director of Children and Families the authority to sign the grant award on behalf of the county. She then turned the discussion over to Mike Maryanov who said this was his first successful federal grant. He said fostering attachments is the family drug program. They started serving families in 2006 with local dollars from the Department of Human Services (DHS). In July they received two grants, the first was a Byrne grant. He said losing the Byrne grant was about \$150,000/year. Fostering attachment is a special blend of public and private services. LTT. This is a drug court, early childhood, skill enhancement. This focuses pre schoolers and infants to focus on ...motivation to get themselves clean. With the federal grant For the first three years, Family

Building Blocks has been the local agent....LTT. He said this is a perfect situation to work with Children and Families. He said he was still somewhat speechless that this money is coming this way. It will fund four teachers. The grant is approximately \$500,000. Ms. Kelley added that they estimated about 55 families per year, so over the course of three years about 150 people in this intensive program....is a three year grant.

Commissioner Milne said she knew a lot of work went into this and she appreciates it.

Commissioner Carlson said congratulations on getting this grant. She said it was such a great partnership. She then reported people who had sign this....LTT. A number of really key partners working together to help these families connect back with their children.

MOTION: Commissioner Brentano approval to receive grant funds of \$496,919 from the U.S. Department of Justice to support the Fostering Attachment Treatment Court and grant the director of Children and Families the authority to sign the grant award on behalf of the county. Seconded by CC; motion carried. A voice vote was unanimous.

CONTRACT REVIEW BOARD

2. Consider approval of an order granting a special procurement exemption to allow the use of an alternative procurement process and authorize the chief administrative officer to approve the results of the collaborative process to be included in the 2009-11 Healthy Start/Healthy Families Oregon Request for Application. – Jo Stonecipher, Alison Kelley

Jo Stonecipher said she was here on behalf of the Finance Department and explained the standards to act under the Contract Review Board. This allows a procurement exemption to allow use of an alternative procurement process. They have given the seven day notice. The legal notice was posted on Wednesday, September 23rd. There are three criteria....not anti competitive, not encourage competition or favoritism, increase the county assets....LTT.

Alison Kelley, Children and Families, said they are here to request ...problems in process neglect, abuse, and threat of harm. Healthy Start/Healthy Families is goal is to present for families that are getting it for the first time. The screen determines which families can participate. All families that are screened receive counseling??? This time for the first time counties have been directed ...provide joint or proposals. She said this year their planning has increased and 3 reasons to request they participate in a collaborative process 1) to increase the number of families served; 267 families in 2007-08 received home visits; in 2007-09 there were 159 families screen that showed they had the risk factors to be served, but services were not available; 2)there have been some recent policies and guidelines passed down from the legislative; guidelines putting reaching more families for the cost....they want to see more families served and they are worried what the economical forecast is; 3) stronger more integrated system including those having babies for the first time. With the boards permission would be to convene a meeting through a public notice to the key stakeholders, all interested people would be open to attend. It is a challenging topic to try and figure out ways to serve more people. After the meeting report results to the board and to the chief administrative officer. She said they also know that if these conservations produce results that look different than the past....LTT. They want to maximize the expertise and of partners that have already served.

CC commented and thanked Alison for bringing this forward. She said the original vision of healthy start was volunteer. She talked about the screening which is about 5 simple questions. If you are a teen mom that automatically includes you; especially if there has been abuse in the family. She added that healthy start is not the only program that does home visits. LTT...teen parent programs, etc. She said also with the same idea that if you are having your first baby, you are more open to parenting information. Talked about when she was in the legislature...LTT. The goal is to try to reduce child abuse and neglect. It is a really important program, not really supposed to be a program, but a change in the....she thinks this concept gets us closer to the original vision.

Commissioner Brentano and Commissioner Milne also said they would both support this. LTT.

MOTION: Commissioner Carlson moved approval of an order granting a special procurement exemption to allow the use of an alternative procurement process and authorize the chief administrative officer to approve the results of the collaborative process to be included in the 2009-11 Healthy Start/Healthy Families Oregon Request for Application. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

PUBLIC WORKS

3. Consider approval of an intergovernmental agreement with the Department of Transportation for right-of-way services for the Ward Drive project. – Bill Worcester, Cindy Schmitt

Cindy Schmitt, public works, showed slides and discussed the intergovernmental agreement with the Department of Transportation for right-of-way services for the Ward Drive project. She showed photos of the congestion at the intersection of Fisher Road and Ward Drive. There are over 10,000 cars a day on Ward Drive. List high vehicle volumes on her sheet she handed out. Adding a new traffic system at Fisher Road and ...LTT. An older traffic signal will also be replaced and a turn lane will be put in. She gave the major components of the project. The project does contain federal funds. The intergovernmental agreement has an additional resolution to be signed if they cannot get the property needed. The agreement and the resolution both have to be executed before the project can be executed. She talked about action item #3 and #4.

CM said this has been review at various steps along the way. CC asked if they have had discussion with people along the road. Ms. Schmitt said they have had conversation over the last several years. They are having a meeting later in October where they will try to get all the folks together. They are very early in the design process. CC said talked about if single family or multi family. Ms. Schmitt said there is single family after you cross Lancaster. Before Lancaster is the multi family.

MOTION: Commissioner Brentano moved approval of an intergovernmental agreement with the Department of Transportation for right-of-way services for the Ward Drive project. Seconded by Commissioner Carlson; motion carried. A voice vote was unanimous.

4. Consider approval of a resolution authorizing acquisition and condemnation for the Ward Drive improvement project. – Cindy Schmitt

This resolution is a condition of the intergovernmental agreement just approved. Because there are federal funds this resolution needs to be approved to show the intent and determination to acquire the appropriate right-of-way. She said it doesn't change the county's ...LTT>

CC added that the communication piece is critical.

MOTION: Commissioner Carlson moved approval of a resolution authorizing acquisition and condemnation for the Ward Drive improvement project. Seconded by Commissioner Brentano; motion carried. A voice vote was unanimous.

PUBLIC HEARING

9:30 a.m.

PUBLIC WORKS - PLANNING

A. Public hearing to consider amending the Marion County Comprehensive Plan by adopting new population forecast for Marion County and its cities. – Brandon Reich. Les Sasaki
Brandon Reich, planning, reported In Oregon, counties have the role of coordinating population forecasts among all the urban areas in the county. The county does then when a city comes in with an update to their comprehensive plan. Cities use population forecasts when looking at the amount of residential and employment land that will be needed to accommodate a future population. Oregon Revised Statutes and Administrative Rules require a forecast project 20 years into the future.

The county also periodically prepares coordinated countywide forecasts for all the cities in the county and the unincorporated area. The county last prepared a coordinated countywide forecast in 1998 for the year 2020. Currently, the county is nine years into the adopted forecast period and a new forecast should be adopted in order to again provide a 20-year forecast period.

Marion County contracted with Portland State University Population Research Center to prepare a forecast study for the year 2030. A grant from the Department of Land Conservation and Development (DLCD) partially funded the study. Planning staff has discussed the forecast with the cities in the county and with Linn and Polk county and received responses back from the jurisdictions.

The responses have been mostly positive in support of the forecast. Some cities are beginning to use the numbers in planning efforts currently underway. Staff made adjustments to the forecast based on additional information provided by the cities, which I will describe later in this presentation. Staff also has additional work to do within the Salem Keizer Urban Growth

Boundary working with Salem, Keizer and Polk County to allocate the population within the boundary after this project is finished. I'll describe more about that later, too.

Marion County's population was estimated to be 314,865 persons in 2008. By 2030, the study by PSU estimated the population would grow to 410,431 persons, growing by approximately 4,350 persons a year at an average annual rate of 1.2%. The majority of this growth is expected to continue to go to the urban areas of the county, particularly the five largest cities in the county: Salem, Keizer, Woodburn, Silverton and Stayton.

For the county and the five largest cities, PSU prepared low, medium, and high growth scenarios that reflect the impact of different economic conditions on growth in Marion County. The medium growth scenario is more of the traditional population forecast and is the one proposed to be adopted as the forecast for Marion County and its cities. The other growth scenarios contain information that can be useful to the cities in their planning efforts and would be included in the information adopted by the county.

To develop the estimates, PSU relied on demographic models and housing unit analysis, as well as other information,. PSU also prepared separate estimates for the Marion County portions of cities split between Marion and Polk Counties (Salem) and Marion and Linn Counties (Gates, Idanha and Mill City). Three cities in the county (Silverton, Aumsville and Aurora) provided information to justify higher forecasted populations than in the PSU study and three cities (Hubbard, St. Paul, and Sublimity) provided information to justify lower forecasted populations than in the PSU study. The effect of these changes was to reduce the county population forecast for 2030 by 186 people to 410,245 persons.

A forecast was also developed for the Salem and Keizer Urban Growth Boundary. This boundary is comprised of various components, the incorporated and unincorporated portions of Salem and Keizer and those portions of Salem in Polk and Marion County. The proposed amendments to the Background and Inventory adopt a single forecast for the entire Salem/Keizer Urban Growth Boundary in Marion County based on the medium growth scenario developed by PSU. The county will work with Salem, Keizer and Polk County to allocate population within the boundary to the cities of Salem and Keizer once either city begins comprehensive planning efforts that require a coordinated forecast for either city.

Detailed information was not developed in the Portland State Study for the Polk County portions of Salem and the Polk County unincorporated area. Keizer provided information regarding different growth scenarios for Keizer, which are included in the material proposed to be adopted.

A separate forecast was also developed for the unincorporated areas of the county. These include both rural areas (outside city limits and urban growth boundaries) and also areas within an urban growth boundary but outside of a city's incorporated area. Some of these areas in the UGBs have significant populations, such as in the east Salem Four Corners and Hayesville areas. As annexation and development occurs, the population becomes part of the city's incorporated area would no longer be counted with the unincorporated population of the county.

The forecast is proposed to be adopted as an amendment to the Marion County Comprehensive Plan Background and Inventory Report, Population History and Projections chapter. These amendments would adopt the 20-year forecast discussed in this report, as well as update and correct other information in the chapter.

On June 16, 2009, the Marion County Planning Commission held a hearing and received testimony on the proposed amendments regarding the population forecasts.

After the close of the hearing, the Planning Commission directed staff to speak with the cities of Salem, Keizer, Woodburn, Silverton and Stayton regarding comments received from the Department of Land Conservation and Development (DLCD) provided regarding the forecast and the growth ranges that the state law requires the county to coordinate a single number forecast for each of the cities.

Although the cities expressed an interest in continuing to use ranges in the forecast, it appeared to be acceptable to use a single number for the forecast now with the understanding that the additional information contained in the scenarios would be retained in the amendments because it is useful to the cities in their planning efforts. Future forecasts can also be updated with new or revised information as it becomes available for cities to use as cities update portions of their plans. The county will work with Salem, Keizer and Polk County to allocate population within the boundary to the cities of Salem and Keizer once either city begins comprehensive planning efforts that require a coordinated forecast for either city.

On August 18, 2009, staff returned to the Planning Commission for their recommendation. After due consideration, the Planning Commission voted unanimously to recommend approval of the amendments to the Board of Commissioners.

Oregon Revised Statutes 195.025 (1) and 195.036 and Oregon Administrative Rules 660-024-0030 establish standards for developing a population forecast. The forecast proposed to be adopted is consistent with the requirements in state law.

Planning recommends the Board of Commissioners approve the amendments to the Marion County Comprehensive Plan Background and Inventory Report by amending the text of the Population History and Projections chapter, including new population forecasts for incorporated and unincorporated portions of Marion County and direct staff to return with an ordinance reflecting their decision.

CC thanked Mr. Reich for the report and said it was very well done. She said she attended public hearings in the different cities. She said she really appreciated the reports and the letters received from the other cities. CC said she was disappointed that we couldn't have a range and had to have one number.

CB asked a question and said he agreed with CC comments. Les Sasaki then answered CB question. CB said he appreciated the efforts of Les working on this no matter how things turn out. CM said it is difficult to work on a project that there is not much flexibility. She thanked him. The study came out approximately a year ago.

TESTIMONY:

Nate Brown, Community Development Director with the City of Keizer, said he appreciates the county's support for the City of Keizer. HE said they also appreciate the amount of work that has gone into this process. He said Marion County is unusual in this case because most counties don't go through this process. He spoke about Commissioner Carlson talking about a range instead of a single number. Mr. Brown said they have had meetings that might give some resolutions but it is early in the stages. The reason they are apprehensive about the adoption of the population projections.....likes the range because it gives flexibility. He said he was here basically to support with the stated commitment that staff has said they will work with them.

Cm SAID this has been worked on for 3-4 years.

MOTION: CB moved to close the public hearing and approve amending the Marion County Comprehensive Plan by adopting new population forecast for Marion County and its cities. – Brandon Reich. Les Sasaki
Brandon Reich, planning, reported In Oregon, counties have the role of coordinating population forecasts among all the urban areas in the county. The county does then when a city comes in with an update to their comprehensive plan. Cities use population forecasts when looking at the amount of residential and employment land that will be needed to accommodate a future population. Oregon Revised Statutes and Administrative Rules require a forecast project 20 years into the future. (LTT). Seconded by CC; motion carried. A voice vote was unanimous.

ACTION

While people were being seated, CM read the calendar of meetings for the commissioners.

DELIBERATION AND APPOINTMENT

5. Consider approval of an order appointing Jason Myers to fill the vacancy in the elective office of Marion County Sheriff. – Commissioner Milne

CM commented they had one additional item on the calendar today. CM then summarized how we got to this point. She said it had been a very busy time over the last six weeks. OnSheriff Russ Isham resigned that would be effectivehanded over to Undersheriff of Jason Meyers. On August 24th, the BoC conducted a work session to review the options they had to for statutory requirements. On September 15th, they again had a continued work session. After discussion, the BOC expressed their intent to appoint Jason Myers as Sheriff. She said their intention was clear that they were comfortable in moving forward with an application process to fill the Sheriff position. She said they had just one candidate and had a complete thorough due diligence. They had a public interview process, Undersheriff Myers filled out an application and background checks were done. On.....they held a public interview process.

The commissioners with Wendy Bales, Ortiz, they created an interview panel and Jason was in attendance to answer those questions. She said it provided an opportunity for the public to meet Undersheriff. Myers and there were questions from the audience. She said they continued to accept an input until Monday. She said that brings us here to this morning and they are here to deliverate.

CM said that when this situation arose, it was sad and shocking for all in the county, but particularly the individuals in the Sheriff's office. She said it was important to her that the process undertaken would be very decision, continuity for the individuals that work there. She also wanted to make certain for the public that they had a level of confidence that things were moving forward without any disruption. She said that over these last few weeks that was what was experienced. She said they also had a lot of feedback from other MC employees. Primary to this is the leadership, all continuation without disruption can't happen without good leadership and everyone looked to Jason Myers. After receiving nothing but positive feedback about Jason Myer's ability to serve and his leadership. She said that it ws evident from the very first phone call to CM about the situation prior. She said throughout the process she has had a great deal of confidence. She has had an opportunity to talk personally with Jason about what it is to step forward and fill these shoes. She asked him what it was like to wear the badge. She said she would be very supportive in supporting Jason in this positon.

CC said about some remarks she had made a little over two years ago. She said the Sheriff's office is a very important department in MC. It has the largest budget of about \$50 million. She said public safety is approximately $\frac{3}{4}$ of the county's budget. She said that when she said her remarks over two years ago she thought it was important to change. She then read something out of a change book. CC commented that good to great. She felt at that time that the Sheriff's Office was good, but they could be great. She feels today that the Sheriff's Office is great. They have been through a lot and have maintained and led. CC said that she felt with Jason Myers that he demonstrates leadership. She said he speaks of professional standards. She talked about the background check and they were supposed to be confidential, but she thought he wouldn't mind this . His personnel file had over 2 dozen letters complimenting him (she touched on some of the comments in the letters)LTT. She said she very much supports the action today to appoint the Sheriff

CB said he has gotten to know Jason over the last two years. He said he to appreciates Jason and his leadership. He went through the file and read about his appearance. He talked about a lot of involvement with schools and kids. He said he was very concern about who he was going to surround himself with. He indicated he was going to appoint Troy Classen

MOTION: CC moved approval of an order appointing Jason Myers to fill the vacancy in the elective office of Marion County Sheriff, CB seconded; motion carried. A voice vote was unanimous.

Commissioner Milne then read the weekly calendar.

Commissioner Milne adjourned the meeting a.m.

Attachments:

ABOVE MINUTES APPROVED

CHAIR

COMMISSIONER

COMMISSIONER

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